

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CARMIGNAC GESTION, S.A.,

Plaintiffs,

v.

PERRIGO COMPANY PLC, JOSEPH C.
PAPA, JUDY L. BROWN, AND MARC
COUCKE,

Defendants.

FIRST MANHATTAN CO.,

Plaintiffs,

v.

PERRIGO COMPANY PLC, JOSEPH C.
PAPA, JUDY L. BROWN, AND MARC
COUCKE,

Defendants.

MANNING & NAPIER ADVISORS, LLC,

Plaintiffs,

v.

PERRIGO COMPANY PLC, JOSEPH C.
PAPA, JUDY L. BROWN, AND MARC
COUCKE,

Defendants.

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) Civil Action No. 2:17-CV-10467-MCA-LDW
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) Civil Action No. 2:18-CV-02291-MCA-LDW
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) Civil Action No. 2:18-CV-00674-MCA-LDW
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STIPULATION AND [PROPOSED] ORDER

WHEREAS, the complaints in the above-captioned individual actions (the “Individual Actions”) involve claims, allegations, and parties that significantly overlap with the claims, allegations, and parties described in the June 21, 2017 Amended Complaint for Violation of the Federal Securities Laws (the “Amended Complaint”) in *Roofers’ Pension Fund v. Papa, et al.*, No. 2:16-cv-2805-MCA-LDW (the “Consolidated Class Action”);

WHEREAS, on August 21, 2017, defendant Perrigo Company plc (“Perrigo”) and all of the individual defendants in the Consolidated Class Action except Marc Coucke moved to dismiss the Amended Complaint in the Consolidated Class Action, and on August 25, 2017, individual defendant Coucke moved to dismiss the Amended Complaint in the Consolidated Class Action (collectively, the “Motions to Dismiss”) and briefing was completed in connection with the Motions to Dismiss on November 6, 2017;

WHEREAS, plaintiffs in the Individual Actions filed complaints on the following dates: November 1, 2017 (No. 2:17-CV-10467-MCA-LDW); January 16, 2018 (No. 2:18-CV-00674-MCA-LDW); and February 16, 2018 (No. 2:18-CV-02291-MCA-LDW);

WHEREAS, plaintiffs in the Individual Actions and defendants Perrigo, Joseph C. Papa, Judy L. Brown, and Coucke stipulated and agreed on the following dates that they would confer and submit a proposed schedule for the filing of answers or other responses to the Individual Actions no more than thirty (30) days after the Court in the Consolidated Class Action issued an opinion on the Motions to Dismiss: November 30, 2017 (No. 2:17-CV-10467-MCA-LDW); January 30, 2018 (No. 2:18-CV-00674-MCA-LDW); and February 20, 2018 (No. 2:18-CV-02291-MCA-LDW);

WHEREAS, the Court in each of the Individual Actions agreed and so-ordered the

above-referenced stipulations as filed on the following dates: December 8, 2017 (No. 2:17-CV-10467-MCA-LDW); February 15, 2018 (No. 2:18-CV-00674-MCA-LDW); and February 21, 2018 (No. 2:18-CV-02291-MCA-LDW);

WHEREAS, on July 27, 2018, the Court in the Consolidated Class Action issued an opinion granting in part and denying in part the Motions to Dismiss (2018 WL 3601229) as follows:

- (a) The Court dismissed without prejudice all the claims asserted in the Amended Complaint against defendant Coucke;
- (b) The Court dismissed some, but not all, of the claims asserted in the Amended Complaint against defendants Perrigo, Papa and Brown;

WHEREAS, on August 9, 2018, plaintiffs in the Consolidated Class Action and defendants Perrigo, Papa and Brown stipulated and agreed that their answer to the Amended Complaint is due on September 7, 2018, and the Court so-ordered that stipulation on August 10, 2018;

WHEREAS, the plaintiffs in the Individual Actions do not intend to further amend their complaints at this time; and

WHEREAS, after conferring, the parties hereto believe the below schedule is fair and reasonable.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties hereto, through their undersigned counsel, as follows:

1. Defendants Perrigo, Papa, and Brown shall move, answer, or otherwise respond to the complaints in the Individual Actions on or before November 6, 2018; and
2. In the event that any defendant moves to dismiss any complaint in the Individual

Actions:

- (a) Plaintiffs in the Individual Actions shall have until January 7, 2019 to serve opposition papers; and
- (b) Defendants shall have until February 6, 2019 to serve reply papers in further support of their motion(s) to dismiss.

Dated: August 27, 2018

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SO ORDERED THIS __ DAY OF _____, 2018

Hon. Leda D. Wettre, U.S.M.J.